



**94TH GENERAL ASSEMBLY**  
**State of Illinois**  
**2005 and 2006**  
**SB1864**

Introduced 2/25/2005, by Sen. John J. Cullerton

**SYNOPSIS AS INTRODUCED:**

745 ILCS 10/4-108 new

Amends the Local Governmental and Governmental Employees Tort Immunity Act. Provides immunity for a local public entity for any injury resulting from the use of a firearm by: (i) a public employee not acting within the scope of his or her employment with the local public entity at the time the firearm is used; (ii) a person who is no longer employed by the local public entity at the time the firearm is used; or (iii) any qualified retired law enforcement officer, as defined in the federal Law Enforcement Officers Safety Act of 2004, carrying a firearm pursuant to that Act. Effective immediately.

LRB094 04255 LCB 34279 b

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Local Governmental and Governmental  
5 Employees Tort Immunity Act is amended by adding Section 4-108  
6 as follows:

7 (745 ILCS 10/4-108 new)

8 Sec. 4-108. Injury resulting from use of a firearm. A local  
9 public entity shall not be liable for any injury resulting from  
10 the use of a firearm by: (i) a public employee not acting  
11 within the scope of his or her employment with the local public  
12 entity at the time the firearm is used; (ii) a person who is no  
13 longer employed by the local public entity at the time the  
14 firearm is used; or (iii) any qualified retired law enforcement  
15 officer as defined in the federal Law Enforcement Officers  
16 Safety Act of 2004, carrying a firearm pursuant to that Act.

17 Section 99. Effective date. This Act takes effect upon  
18 becoming law.